

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Holly Prentice

Appl. No.: 10/532,197 (*U.S. National  
Phase of PCT/US2003/033433*)

§371(c) Date: September 12, 2006

For: **High Expression Locus Vector  
Based on Ferritin Heavy Chain  
Gene Locus**

Confirmation No.: 8404

Art Unit: 1636

Examiner: *To Be Assigned*

Atty. Docket: 2159.0580001/EKS/LMB

**First Supplemental Information Disclosure Statement  
Under 37 C.F.R. § 1.97(b)**

***Mail Stop Amendment***

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Sir:

Listed on accompanying IDS Forms are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98. This First Supplemental Information Disclosure Statement is a continuation of the Applicant's Information Disclosure Statement re-filed on September 12, 2006 in connection with the above-captioned application.

Where the publication date of a listed document does not provide a month of publication, the year of publication of the listed document is sufficiently earlier than the effective U.S. filing date and any foreign priority date so that the month of publication is not in issue. Applicant has listed publication dates on the attached IDS Forms based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicant reserves the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith.

This Information Disclosure Statement is being filed under 37 C.F.R. § 1.97(b) before the mailing date of a first Office Action on the merits. No statement or fee is required.

The documents were cited in a search report by a foreign patent office in a counterpart foreign application. Submission of an English language version of the search report that indicates the degree of relevance found by the foreign office is provided in satisfaction of the requirement for a concise explanation of relevance. 1138 OG 37, 38.

Copies of documents **FP4** and **NPL16-NPL18** are submitted.

It is respectfully requested that the Examiner initial and return a copy of the enclosed IDS Forms, and indicate in the official file wrapper of this patent application that the documents have been considered.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



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Examiner Signature		Date Considered	
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Substitute for form 1449B/PTO  <b>FIRST SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> <i>(Use as many sheets as necessary)</i>				<b>Complete if Known</b>	
				Application Number	10/532,197 ( <i>U.S. Nat'l Phase of PCT/US2003/033433</i> )
				§371 Date	September 12, 2006
				First Named Inventor	Holly Prentice
				Art Unit	1636
				Examiner Name	To Be Assigned
Sheet	1	of	1	Attorney Docket Number	2159.0580001/EKS/LMB

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T <sup>2</sup>
	NPL16	European Search Report for Application No. 03777780.2-2401 PCT/US0333433 dated October 11, 2006, five (5) pages.	
	NPL17	TORTI, <i>et al.</i> , "The Molecular Cloning and Characterization of Murine Ferritin Heavy Chain, a Tumor Necrosis Factor-inducible Gene," <i>The Journal of Biological Chemistry</i> , Issue of September 5, 1988, pages 12638-12644, Volume 263, No. 25., The American Society for Biochemistry and Molecular Biology, Inc.	
	NPL18	TSUJI, <i>et al.</i> , "FER-1, an Enhancer of the Ferritin H Gene and a Target of E1A-Mediated Transcriptional Repression," <i>Molecular and Cellular Biology</i> , September 1995, pages 5152-5164, Volume 15, No. 9., American Society for Microbiology.	

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Examiner Signature	Date Considered
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached.

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